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**ORDINANCE NO. 46-17**

**AN ORDINANCE AMENDING BUDGET ORDINANCE NO 59-16, 70-16, 05-17, 15-17, 23-17, 28-17 and 36-17, CURRENT EXPENSES AND CAPITAL OUTLAY REQUIRED FOR 2016-2017; PROVIDING FOR REVERSION OF UNENCUMBERED FUNDS; PROVIDING FOR PUBLIC HEARING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

*WHEREAS*, Althea Philord, Finance Director, has requested an amendment to Ordinance No. 59-16, Ordinance 70-16, Ordinance 05-17, Ordinance 15-17, Ordinance 23-17, Ordinance 28-17 and Ordinance 36-17, Current Expenses and Capital Outlay for the Fiscal Year beginning October 1, 2016, and ending September 30, 2017, to set forth anticipated sources of revenues and estimated appropriations; and

*WHEREAS*, the City Commission of the City of New Smyrna Beach, Florida, deems that it is in the best interest of the citizens of the City of New Smyrna Beach to amend the City's 2016-2017 Fiscal Year Budget as more particularly set forth hereinafter.

***NOW, THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF NEW SMYRNA BEACH, FLORIDA, AS FOLLOWS:***

**SECTION 1:**        ***Budget.***    That the following sums of money be and the same are hereby appropriated sources of revenue of the City to the corporate purposes herein specified for the budget for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

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A. For the GENERAL FUND requirements, the following sums of money are hereby appropriated from the following anticipated sources of revenue, to-wit:

REVENUES:

TAXES:

|                        |                |
|------------------------|----------------|
| General Property Taxes | 10,663,393     |
| Local-Option Gas Tax   | 773,937        |
| Utility Taxes          | 3,159,897      |
| Franchise Taxes        | <u>673,547</u> |
| TOTAL TAXES            | 15,270,774     |

LICENSES AND PERMITS:

|                            |            |
|----------------------------|------------|
| Business Tax               | 227,370    |
| Permits                    | <u>915</u> |
| TOTAL LICENSES AND PERMITS | 228,285    |

INTERGOVERNMENTAL REVENUES:

STATE AND FEDERAL GRANTS:

|                      |         |
|----------------------|---------|
| State/Federal Grants | 384,369 |
|----------------------|---------|

STATE SHARED REVENUES:

|                    |           |
|--------------------|-----------|
| State/County/Local | 2,179,349 |
|--------------------|-----------|

OTHER SHARED REVENUES:

|                         |                  |
|-------------------------|------------------|
| Utilities Commission 6% | <u>3,646,175</u> |
|-------------------------|------------------|

TOTAL INTERGOVERNMENTAL 6,209,893

CHARGES FOR SERVICES:

|                      |                  |
|----------------------|------------------|
| Charges for Services | <u>1,051,160</u> |
|----------------------|------------------|

TOTAL CHARGES FOR SERVICES 1,051,16

|     |  |                   |
|-----|--|-------------------|
| 82  | <u>FINES AND FORFEITURES:</u>                                  |                   |
| 83  | Court Cases/Local Ordinances                                   | <u>88,208</u>     |
| 84  |  |                   |
| 85  | TOTAL FINES AND FORFEITURES                                    | 88,208            |
| 86  | <u>MISCELLANEOUS REVENUES:</u>                                 |                   |
| 87  | Other Income   | <u>129,987</u>    |
| 88  |  |                   |
| 89  | TOTAL MISCELLANEOUS REVENUES                                   | 129,987           |
| 90  |  |                   |
| 91  | <u>OTHER FINANCING SOURCES:</u>                                |                   |
| 92  | Transfer From Other Funds                                      | 61,100            |
| 93  | Appropriated Reserves  | <u>4,912,697</u>  |
| 94  |  |                   |
| 95  | TOTAL OTHER FINANCING SOURCES                                  | 4,973,797         |
| 96  |  |                   |
| 97  | TOTAL REVENUES AND OTHER FINANCING SOURCES                     | <u>27,952,104</u> |
| 98  |  |                   |
| 99  | B. That from said GENERAL FUND and for the current expenses or |                   |
| 100 | use of the several departments or accounts names below, the    |                   |
| 101 | sums set opposite said departments are hereby appropriated,    |                   |
| 102 | to-wit:  |                   |
| 103 |  |                   |
| 104 | <u>EXPENDITURES:</u>   |                   |
| 105 | CITY COMMISSION  | 235,012           |
| 106 | CITY MANAGER   | 452,900           |
| 107 | CITY CLERK   | 339,940           |
| 108 | ECONOMIC DEVELOPMENT   | 277,530           |
| 109 | CITY ATTORNEY  | 491,475           |
| 110 | FINANCE  | 627,825           |
| 111 | INFORMATION TECHNOLOGY   | 484,553           |
| 112 | HUMAN RESOURCES/PERSONNEL                                      | 251,245           |
| 113 | GENERAL GOVERNMENT   | 4,659,123         |
| 114 | INDIRECT COST ALLOCATION                                       | -811,755          |
| 115 | TRANSFERS OUT (Debt Service Payment)                           | 989,967           |
| 116 | TRANSFERS OUT  | 117,361           |
| 117 | LAW ENFORCEMENT  | 5,943,550         |
| 118 | FIRE   | 6,279,707         |
| 119 | EMERGENCY MANAGEMENT   | 74,922            |
| 120 | PLANNING & ENGINEERING   | 768,315           |
| 121 | PUBLIC WORKS:  |                   |
| 122 | ADMINISTRATION   | 182,043           |

|     |                      |                   |
|-----|----------------------|-------------------|
| 123 | BUILDING MAINTENANCE | 644,984           |
| 124 | STREETS              | 1,584,834         |
| 125 | CIVIC CENTER         | 296,682           |
| 126 | RECREATION           | 1,127,308         |
| 127 | PARKS                | 2,024,373         |
| 128 | SPORTS COMPLEX       | 910,210           |
| 129 | TOTAL APPROPRIATIONS | <u>27,952,104</u> |

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C. That from CITY MARINA FUND, the following sums of money are hereby appropriated from the following anticipated sources of revenue, to-wit:

|     |                       |                |
|-----|-----------------------|----------------|
| 135 | <u>REVENUES:</u>      |                |
| 136 | Leases/Rentals        | 276,700        |
| 137 | Miscellaneous Revenue | 1,000          |
| 138 | Reserves              | <u>283,420</u> |
| 139 |                       |                |
| 140 | TOTAL REVENUES        | <u>561,120</u> |

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D. That from CITY MARINA FUND set forth in Paragraph C above, the following sums of money are hereby appropriated, to-wit:

|     |                      |                |
|-----|----------------------|----------------|
| 145 | <u>EXPENDITURES:</u> |                |
| 146 | Special Recreation   | 530,420        |
| 147 | Transfers Out        | <u>30,700</u>  |
| 148 |                      |                |
| 149 | TOTAL APPROPRIATIONS | <u>561,120</u> |

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**SECTION 2: Budget Amendments and Adjustments.** That changes in the adopted annual budget shall be made in accordance with state law, City Charter and as follows:

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- a) Increasing total appropriations within a fund from reserves or based upon an estimated increase in revenues shall be by ordinance.
- b) Appropriations for specific expenditures within a fund may be increased without increasing total fund expenditures by resolution identifying the increases and offsetting decreases.

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c) The City Manager may adjust line item expenditures within a department which do not increase total departmental expenditures or cause a change in functions, programs or capital projects.

**SECTION 3: Reversion of Unencumbered Funds.** That any funds appropriated by this ordinance, not encumbered or contracted for during the period herein set forth, shall revert to the fund from which said funds were to have been paid.

**SECTION 4: Public Hearing.** That the public hearing considering the adoption of this ordinance shall be held June 27, 2017, in the City Commission Chambers at City Hall, 210 Sams Avenue (south entrance on Julia Street), New Smyrna Beach, Florida, after notice published is found to comply with §166.041(3)(a).

**SECTION 5: Severability.** That if any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

**SECTION 6: Conflicting Ordinances.** That all ordinances or parts thereof that are in conflict with this ordinance shall be and the same are hereby rescinded and repealed.

**SECTION 7: Effective Date.** That this ordinance shall take effect immediately upon its final adoption.

**APPROVED AS TO FORM AND CORRECTNESS:**



**FRANK B. GUMMEY, III**  
City Attorney

**DATE:** 6/7/17

Ordinance No. 46-17 of the City of New Smyrna Beach, Florida, was introduced before the City Commission at its Regular Meeting June 13, 2017, and read by title only. Motion was made by Commissioner McGuirk, approve the Ordinance on first reading, and seconded by Vice Mayor Sachs, the vote thereon being as follows:

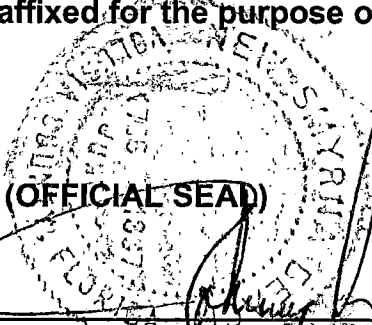
|                            |        |
|----------------------------|--------|
| MAYOR JAMES W. HATHAWAY    | Yes    |
| VICE MAYOR JACOB D. SACHS  | Yes    |
| COMMISSIONER JUDY REIKER   | Yes    |
| COMMISSIONER JASON MCGUIRK | Yes    |
| COMMISSIONER RANDY HARTMAN | Absent |

Ordinance No. 46-17 was read by title only at the Regular Meeting held by the City Commission on June 27, 2017, Motion was made by Commissioner Reiker, and seconded by Commissioner McGuirk, that Ordinance No. 46-17 be adopted on second and final reading, the vote thereon being as follows:

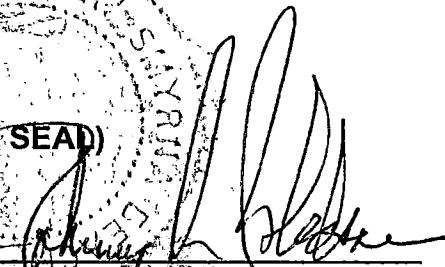
|                            |     |
|----------------------------|-----|
| MAYOR JAMES W. HATHAWAY    | Yes |
| COMMISSIONER JASON MCGUIRK | Yes |
| COMMISSIONER RANDY HARTMAN | Yes |
| COMMISSIONER JUDY REIKER   | Yes |
| VICE MAYOR JACOB D. SACHS  | Yes |

The City Clerk noted the passage of Ordinance No. 46-17 in the minutes of this meeting by its title only and recorded the same in full in the Ordinance Records of the City.

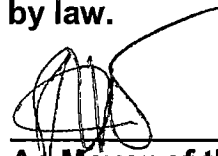
The Mayor of the City of New Smyrna Beach has hereunto set his official signature, duly attested by the City Clerk, and has caused the Official Seal of said City to be hereunto affixed for the purpose of authenticity as required by law.



(OFFICIAL SEAL)



As City Clerk of the City of  
New Smyrna Beach, Florida



As Mayor of the City of New Smyrna  
Beach, Florida

ORDINANCE NO. 46-17